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President: Mr. Opertti (Uruguay)

*In the absence of the President, Mr. Mra (Myanmar),
Vice-President, took the Chair.*

The meeting was called to order at 10.15 a.m.

Agenda item 41

The situation in Bosnia and Herzegovina

Draft resolution A/53/L.55

Mr. Sucharipa (Austria): I have the honour to speak on behalf of the European Union. The Central and Eastern European countries associated with the European Union — the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia — and the associated country Cyprus, as well as the European Free Trade Association countries members of the European Economic Area, Iceland and Norway, align themselves with this statement.

The European Union first of all wishes to thank the High Representative, Mr. Carlos Westendorp, for the relentless efforts and assistance that he and his team have devoted to assisting in the establishment of a lasting peace in Bosnia and Herzegovina. We would also like to express our gratitude to the Special Representative of the Secretary-General, Ms. Elisabeth Rehn, the members of the United Nations Mission in Bosnia and Herzegovina (UNMIBH), the members of the International Police Task Force (IPTF), the members of the Stabilization Force (SFOR), the specialized agencies of the United Nations, the

Organization for Security and Cooperation in Europe (OSCE), and all other international and non-governmental organizations for the services they have rendered to the cause of peace, reconciliation and reconstruction. The European Union pays tribute to the victims of the conflict and to all those who died discharging their duties in the service of peace.

The European Union recalls that there is no alternative to the Dayton/Paris Peace Agreement as the foundation of the political and economic development of Bosnia and Herzegovina and its two multi-ethnic entities. Full and swift implementation of the Peace Agreement in its entirety is a paramount obligation for all in Bosnia and Herzegovina and for the concerned neighbouring countries. The European Union continues to offer assistance and support in this endeavour in order to create the conditions for lasting peace and stability in the region. The European Union recalls, however, that this assistance remains strictly conditional upon compliance with the Peace Agreement and subsequent obligations and upon compliance with the criteria of the regional approach of the European Union, namely respect for democratic principles, the rule of law and market economic reform.

Lately we have witnessed several encouraging developments. Despite persisting violent incidents, in particular in connection with the return of refugees and displaced persons, the level of inter-ethnic violence has been dramatically reduced and a lasting cessation of hostilities has been established. The results of the

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municipal elections of 1997 were implemented with only a few exceptions. Successful general elections were held in September this year under the supervision of the OSCE. A new flag, passports, common licence plates and a common currency were introduced.

The President of the International Criminal Tribunal for the Former Yugoslavia, Judge McDonald, noted in her report that the last 12 months were characterized by a substantial improvement over previous years with respect to enforcement of the Tribunal's orders and compliance with obligations under international law. However, much remains to be done by entities and States of the former Yugoslavia, in particular by the Republika Srpska and the Federal Republic of Yugoslavia. The European Union notes that there have been some positive signs on the part of the Republika Srpska of its willingness to cooperate with the Tribunal, and it expects the new Government of the entity to increase its efforts in this respect. The Union fully supports the Tribunal and recalls that as long as all those indicted are not handed over to the Tribunal, an important prerequisite for national reconciliation and the rule of law will not be met.

In this context, the European Union also reminds the neighbouring countries of their obligations under the Peace Agreement. These obligations must be fulfilled in their entirety, voluntarily and immediately. The European Union condemns the continuing refusal of the Federal Republic of Yugoslavia to cooperate with the Tribunal by failing to arrest and transfer indictees to the custody of the Tribunal and demands full compliance with Security Council resolution 1207 (1998).

The return of refugees and displaced persons remains a priority. A very large number of refugees and displaced persons still have not returned home for fear of acts of intimidation and violence. Measures must be taken to put an immediate end to such acts. Furthermore, urgent administrative and legal measures must be taken by all parties to allow the voluntary return of refugees and displaced persons in accordance with the regional strategy of the Office of the United Nations High Commissioner for Refugees, particularly to areas where they would be a minority, and their reintegration into their communities of origin under conditions of safety and dignity, which must include full respect for their property rights. Although freedom of movement within and between the entities has improved, much remains to be done to guarantee the free circulation of people and goods on the territory of Bosnia and Herzegovina.

The European Union reaffirms that full respect for human rights, including the rights of persons belonging to minorities, is a precondition for the restoration of a multi-ethnic Bosnia and Herzegovina.

Functioning democratic institutions at the State, entity and local level are of paramount importance for the consolidation of peace in Bosnia and Herzegovina. The holding of free and fair elections is only an initial step in the construction of a democratic society. The implementation of the election results and the strengthening of the central institutions depend on the sustained cooperation of all, whether Bosniac, Croat or Serb. The European Union, therefore, expects all parties concerned to work together in this endeavour. It also expects the discontinuation of all parallel structures to the common institutions.

In order to create the necessary confidence of the citizens of Bosnia and Herzegovina in their Government and its institutions, the rule of law must pervade every aspect of life in the whole country. The reform of the judicial system and the restructuring of the civilian police in Bosnia and Herzegovina, for which the United Nations Mission is providing important assistance, are crucial objectives in the establishment of the rule of law.

The reform of the media sector has seen some progress in recent months. Free and independent media represent a cornerstone of democratic society. They provide for the free exchange of ideas and for a political discourse that allows citizens to make their political decisions and to partake in the administration of their country. The creation of a civil society bridging ethnic divisions and contributing to reconciliation and understanding among the citizens is one of the priorities on the way to a truly democratic and pluralistic Bosnia and Herzegovina.

One of the major problems Bosnia and Herzegovina is facing is the slow economic recovery and the slow conversion towards a free market system. This entails low foreign investment and extreme dependence on international economic and financial assistance. International assistance is now at its peak and will most probably decline in coming years. Bosnia and Herzegovina therefore needs to increase its efforts with respect to a comprehensive approach to economic reform in order to create the preconditions for a self-sustaining economy. An economic reform programme should include the framework for private sector development including privatizations and the improvement of foreign

investment conditions, the restructuring of the banking sector and capital markets, the reform of the financial system and adequate social protection. Job creation and economic revitalization at the local level are also important for the sustainable return of refugees and displaced persons.

The European Union is looking forward to the upcoming Peace Implementation Council in Madrid, which, building on the results of the Bonn and Sintra meetings, will have the task of outlining the programme of action for the phase following the consolidation period, including clear benchmarks and a time-table for the high-priority issue of the return of refugees and displaced persons to minority areas. The European Union fully supports the High Representative in the discharge of his difficult duties. His action, as well as the assistance of the international community as a whole, remains indispensable for the foreseeable future. Our ultimate goal, however, is a Bosnia and Herzegovina capable at last of governing itself through impartial administration. We remain committed to a sovereign, united and independent Bosnia and Herzegovina.

A clear sign of this commitment was the adoption on 8 June 1998 of a declaration on the place of Bosnia and Herzegovina in Europe and the creation of a joint European Union/Bosnia and Herzegovina Consultative Task Force, which is designed to assist the country to identify and overcome some of the technical obstacles to closer ties with the European Union. As a first step, the Consultative Task Force at its latest meeting made recommendations in order to improve the legal and economic conditions for direct foreign investments in Bosnia and Herzegovina.

As the largest donor to Bosnia and Herzegovina, the European Union supports the efforts towards lasting peace, reconciliation and stability, having contributed close to one billion ECUs for reconstruction and technical assistance and another billion ECUs for humanitarian aid. We will continue our support for reconstruction, the reintegration of refugees and reconciliation in the future. Ultimately, however, the future of Bosnia and Herzegovina depends on its politicians accepting their responsibility for their country and the development of active and effective political and economic cooperation between the central State and the two entities. Good governance and the principles of transparency and fairness must become common practice throughout Bosnia and Herzegovina. Only then will we have achieved the noble goals set out in the Peace Agreement.

The Acting President: I now give the floor to the representative of Bosnia and Herzegovina to introduce draft resolution A/53/L.55.

Mr. Sacirbey (Bosnia and Herzegovina): I apologize to all of you for having been a little bit tardy. We are working with several countries on trying to reach consensus on the draft resolution before us. I think you may understand that it is in our interest to see if we can, in fact, bring about that consensus and, over the next few minutes — or hour or two — of proceedings, we hope to bring some good news to you.

Before us, awaiting adoption by the General Assembly, is draft resolution A/53/L.55, entitled "The situation in Bosnia and Herzegovina". This draft resolution is sponsored by the spectrum of the membership of the General Assembly, including Austria, Bosnia and Herzegovina, Croatia, the Czech Republic, Egypt, Hungary, Indonesia, Jordan, Kuwait, Liechtenstein, Malaysia, Morocco, the Netherlands, Pakistan, Saudi Arabia, Slovenia, Turkey, the United States of America and the Republic of Macedonia. We hope to have some others added to this list.

The sponsors have committed themselves to the furtherance of the peace process in Bosnia and Herzegovina and the region as a whole. In particular, the draft resolution supports the sovereignty and territorial integrity of Bosnia and Herzegovina and places particular emphasis on the following as indispensable to peace, to the return to normalcy, to stability and to reconciliation.

First, while 1998 was designated the year of return, the actual return of refugees has not met expectation, especially where displaced persons and refugees would be of a minority ethnic group or where they were going back to the area from which they may have been ethnically cleansed. In this context, operative paragraph 10 stresses the conditionality of international assistance with respect to municipalities, locales and entities fully supporting the principles and practical efforts for displaced person and refugee return. This is in line with the so-called Open City project established to promote the focus of rebuilding and economic revitalization programmes on those locales exhibiting a sincere commitment to return. Without refugees and displaced persons going back to their homes, the whole peace process would be seen as a mirage and would evaporate away.

Second, critical to return, but also significant to the process of reconciliation, justice and the solidification of peace, is support for the work of the International Criminal Tribunal for the Former Yugoslavia and full compliance with its orders. All States Members of the United Nations should be committed to the work of the Tribunal, in particular by adopting complementing legislation and providing material resources. However, by far the greatest challenge to the Tribunal comes from the non-cooperation of certain States and parties. Compliance is mandatory and not optional. Here, we have followed the assessment, demands and even terminology of the report delivered to this General Assembly by the President of the Tribunal, Judge McDonald. While there has been some progress, the Tribunal's report emphasizes that non-cooperation continues to come overwhelmingly from the same States and parties as before, while others continue to be in substantive compliance. Again, here the draft resolution stresses conditionality and Chapter VII means, including the authority of the Stabilization Force (SFOR) and the potential of other sanctions, in order to compel compliance.

Third, the work of United Nations related forces, as well as of SFOR, has been crucial. SFOR is increasingly assisting civilian aspects of the implementation of the peace accords and the United Nations-mandated agencies are playing an even greater and more decisive role. We must continue to support the work of the International Police Task Force and the judicial reform process, especially where the local authorities may be resistant to or not reflect the commitment to pluralism.

Fourth, progress has been significant in some areas, including in such diverse fields as uniform licence plates and economic rehabilitation. However, all, and in particular we Bosnians, must recognize the need for further reform in order to capture the full opportunities of peace and further energize the process of return. Similarly, all discriminatory property laws and privatization efforts that were enacted to force ethnic cleansing or maintain the consequences thereof must be reversed and certainly will not be recognized as legal.

Fifth, many have come to Bosnia's aid and I must thank those who, yesterday, assisted Bosnia and Herzegovina politically, militarily and in humanitarian terms, through the collective and individual right of self-defence, to overcome aggression and genocide. Their efforts and friendship are not forgotten. The emphasis today is on the effort of rebuilding and consolidating the peace. Here, we thank many contributors, from United Nations-related agencies to the Organization of the Islamic

Conference, and such bilateral donors and programmes as the United States Agency for International Development (USAID). A new structural dimension has been introduced by the most promising cooperative relationship between Bosnia and Herzegovina and the European Union. This gives all our citizens an integrating vision of peace, development and our place in the European Union family of nations.

Sixth, there are several other promising bilateral and multilateral arrangements, from mine clearance to commerce. The special relationship and transit rights arrangements between the Republic of Croatia, on the one hand, and Bosnia and Herzegovina and the Federation of Bosnia and Herzegovina, on the other, establish a positive precedent. On the other hand, we must continue to express our dismay at the failure of the Federal Republic of Yugoslavia (Serbia and Montenegro) to establish diplomatic relations with Bosnia and Herzegovina without precondition and to abandon other arrangements inconsistent with the sovereignty of Bosnia and Herzegovina.

Seventh, the long-delayed process of resolving the succession rights of the old Yugoslavia, the Socialist Federal Republic of Yugoslavia, must move ahead, as has been frequently reiterated, on the basis of the equal rights of all the successor States, rather than of the dominance of one. Here, we must openly ask the question: Why has the Federal Republic of Yugoslavia, the new Yugoslavia, not applied for admission to this body or other relevant international bodies? In fact, I am quite certain that we in Bosnia would be prepared to support their endeavours in this area.

Eighth, within the region, as well as within Bosnia and Herzegovina, the overwhelming importance of democratization and respect for human, national and minority rights must continue to be furthered. This goes hand in hand with local efforts, including those at reconciliation. I should mention here the special visit of the Inter-Religious Council, representing the religious leaders of the four major religious groups in Bosnia, who had a chance to be here at the United Nations and to be greeted by the Secretary-General and by many members of the General Assembly.

Ninth, this year's draft resolution does include a new provision — I must add, an overdue request — in order to bring the fall of the United Nations-designated safe area of Srebrenica and the consequential human tragedy to closure. The Secretary-General has been asked

to issue a comprehensive report on the matter. Neither the process of reconciliation, nor the return to normalcy within Bosnia and Herzegovina, nor the striving for the United Nations own sense of accountability can be effective without this most necessary exercise.

Operative paragraph 18 does not seek out the criminally culpable. That is left to the Tribunal. It does not seek to challenge the Security Council or to promote a confrontational attitude. We believe that the Secretary-General can provide information, analysis and conclusions, with a sense of accountability which builds upon — that is, goes beyond — the fragmented reports offered during the time-frame in question. This will be not a regurgitation, but a re-evaluation, a new effort at facts and conclusions, with the benefit of hindsight.

We have already approached the Secretariat about building a positive understanding of this request. We welcome all cosponsors and supporters of this draft resolution to continue to engage in a constructive evaluation with the Secretariat on the subject matter of this provision. Srebrenica is the criminal responsibility of the perpetrators. Srebrenica is the nightmare of the mothers, sisters and daughters that survived so many male victims. Srebrenica is our common shame. With accountability, maybe we also can make Srebrenica one of those lessons from which all of us will walk away with a greater understanding, as well as a sense of moral redemption.

We continue to express our realistic hope for the promise of peace and our confidence in the efforts of the Office of the High Representative, SFOR and many United Nations-related agencies, as well as many others who are committed to Bosnia and Herzegovina's future. We also look forward to the Peace Implementation Conference this December in Madrid and believe that this draft resolution will contribute to its work. I thank them, in Bosnia, and all present here for their support, and in particular today for support for the draft resolution before the Assembly.

Mr. Selim (Bangladesh): Bangladesh considers the deliberations on agenda item 41, "The situation in Bosnia and Herzegovina", an opportunity to express once again our support for the struggle to preserve the sovereignty and territorial integrity of Bosnia and Herzegovina as a civic, multi-ethnic and multicultural State. Bangladesh, as a peace-loving country, is strongly committed to the promotion and strengthening of peace in Bosnia and Herzegovina. I am confident that our consideration today will help assess the progress so far achieved in the implementation of the Peace Agreement and thereby

encourage and call upon the concerned parties to honour the international community's commitment to peace and progress in the region.

It is unfortunate that the pace of implementation of the Dayton Peace Agreement has been slow. It is a matter of particular concern to Bangladesh that despite repeated efforts by the international community and the Bosnian Government, refugees and displaced persons continue to face harassment and obstructions in returning to their homes and localities. As a result, returns have become slower. The Office of the United Nations High Commissioner for Refugees had set a target of 50,000 minority returns for the first half of 1998. The actual figure of returns is about 15,000. Violations of human rights continue to scare minorities out of their homes. Incidents of destruction of property and violence directed at minority residents increased during the last year. We must not overlook the fact that without addressing the question of the return of the displaced and minority population, the achievement of a long-term political solution to the Bosnian problem is not possible. In this regard, we believe that the restoration of mutual trust among the concerned parties is vital. We urge all to engage in productive interaction so that concrete results can be achieved.

As we discuss the situation in Bosnia and Herzegovina, another development in the region must not escape our attention. Developments in the region, particularly the situation in Kosovo, have a direct impact on the peace implementation process in Bosnia and Herzegovina. We understand that some 10,000 people from Kosovo have taken refuge in Bosnia and Herzegovina. These people are sharing the meagre resources of the country, causing further hardship to the already suffering people of Bosnia.

Bangladesh attaches particular importance to the role of the International Criminal Tribunal for the Former Yugoslavia in bringing justice to the region. We are disappointed, however, to see that war criminals continue to remain free, in contravention of the Peace Agreement. The Tribunal represents and upholds the principle of the rule of law. However, it cannot function without the cooperation and compliance of States.

It is encouraging that some parties are cooperating with the Tribunal within the terms of the Dayton Agreement. However, we are disappointed to note that others have continued to flout the call of the Tribunal and

that of the Security Council, and have failed to execute arrest warrants of indicted persons and to transfer the indicted persons to the custody of the Tribunal. Their intransigent behaviour reached such a level that they did not even hesitate to refuse to accept a team of investigators of the Tribunal.

It is a matter of real concern that the international community has done little to address the problem, despite continuous violations of international humanitarian laws and the rulings of the Tribunal. This eventually encourages the offender to deliberately ignore its international obligations. In this regard, we call upon all the parties concerned to respect their international obligations, in particular those under the Dayton Agreement, and to cooperate with the Tribunal in apprehending the indicted criminals.

Bangladesh has remained steadfast in its support of the just struggle of the Bosnians in the face of the most vicious aggression against their people, territory and, above all, dignity. We have provided whatever military support we could offer within the framework of the United Nations peacekeeping mechanism. Bangladesh has repeatedly declared its policy to remain unflinchingly committed to every move to enhance the capacity of the Government of Bosnia and Herzegovina to build a unified State structure and to deliver on the promise to construct a multi-ethnic and democratic polity. While we reiterate our commitment to contribute in our humble way to the reconstruction of Bosnia and Herzegovina, we would call upon others to intensify collective measures in support of the reconstruction and rehabilitation process.

We are confident that this Assembly can contribute effectively to the upholding of the territorial integrity, legal continuity and sovereignty of Bosnia and Herzegovina. We are also confident that our collective support for the implementation of the provisions of the Dayton Peace Agreement, particularly for ensuring the return of minorities and displaced people, and also compliance by the parties concerned with the Tribunal's rulings, will contribute to the resolution of the problem. The commitment of the international community needs to be forcefully pronounced. The draft resolution before us represents the minimum the international community must accomplish in this regard. Bangladesh is a sponsor of this draft resolution. We hope that it will be adopted with the broadest possible support.

Mr. Rastam (Malaysia): The international community has made a long-term commitment to peace and stability in Bosnia and Herzegovina. The Malaysian Government is

gratified to note that almost three years after the signing of the 1995 General Framework Agreement for Peace in Bosnia and Herzegovina, substantial progress has indeed been achieved. Important efforts towards building a unified, multi-ethnic, multicultural and multireligious Bosnia and Herzegovina, within its internationally recognized boundaries, have indeed taken root. A number of fundamental common institutions have been constituted and begun to function, albeit with certain degrees of structural and political constraint.

Despite these achievements, much more still needs to be done to resolve the remaining critical problems and ensure that peace and stability will endure in Bosnia and Herzegovina. The return of refugees and displaced persons, reconciliation among various ethnic groups, minority protection and economic recovery, are among the main outstanding problems that have to be urgently and comprehensively addressed in order to facilitate the establishment of viable statehood for Bosnia and Herzegovina. My delegation therefore believes that the continuing and active involvement of the international community remains essential. In this regard, my delegation commends the important role of the international community, in particular that of the High Representative and his Office, the relevant Governments, the Stabilization Force (SFOR), the United Nations Mission in Bosnia and Herzegovina (UNMIBH), the International Police Task Force (IPTF) and various other United Nations agencies whose contributions have been very instrumental in facilitating the full implementation of the Peace Agreement.

At the same time, we hope that all parties in Bosnia and Herzegovina will continue to recognize that the main responsibility for achieving peace and national reconciliation remains with the Bosnian leaders and the Bosnian people themselves. There is no alternative but for them to remain fully committed to the Peace Agreement. They must continue to work strenuously towards establishing an integrated, independent, and peaceful Bosnia and Herzegovina, based on mutual respect for all, regardless of ethnicity, religion and culture.

We commend the Bosnians and the international community for the successful holding of national elections in Bosnia and Herzegovina recently. That the elections were held in a free and fair manner is a strong tribute to the international community, which remains committed to promoting peace and reconciliation in Bosnia and Herzegovina, and to the Bosnians themselves,

who are keen to put aside their differences and work towards building a united, independent and multi-ethnic, multicultural and multireligious Bosnia. We hope that the elected leaders will maintain their commitment to strengthening the political, economic and social foundations of the country.

Malaysia attaches special importance to the work of the International Criminal Tribunal for the Former Yugoslavia. We are seriously concerned that despite the efforts of the international community, the major indicted war criminals still remain at large. We hope that more serious efforts will be made, especially in regard to getting the Federal Republic of Yugoslavia to surrender without delay those criminals that are taking refuge in its territory.

The safe return of refugees and displaced persons is another prerequisite for lasting peace in Bosnia and Herzegovina. We are happy to note that there has been some progress in the efforts, particularly by the Office of the United Nations High Commissioner for Refugees (UNHCR), to speed up the process. Malaysia will support all necessary measures to ensure an early completion of the voluntary and organized process of refugee return to all parts of the country.

Malaysia is proud to have been associated with the efforts to rebuild peace in Bosnia and Herzegovina. We will continue to be actively and persistently engaged in ensuring the full implementation of the Peace Agreement. In order to contribute to the national reconciliation efforts in Bosnia and Herzegovina, Malaysia successfully organized a non-governmental forum in Kuala Lumpur from 23 to 26 August 1998. The objective was to expose participants from Bosnia and Herzegovina to the valuable experiences in national reconciliation of other countries. Fifteen Bosnian participants attended. They found the forum very useful in providing ideas for bringing about a climate of trust and tolerance among Bosnians. The Kuala Lumpur forum was the first of what we had hoped would be a series of forums on this subject matter to be held in cooperation with other organizations, governmental and non-governmental. Malaysia would like to express its appreciation for the contributions made by other countries, in particular Canada, which provided the necessary funding that helped ensure the success of this forum.

Malaysia has in the past contributed to the reconstruction efforts in Bosnia and Herzegovina. Regrettably, our contribution has had to be reduced due to the financial crisis and financial problems faced by Malaysia at present. Nevertheless, Malaysia will continue

to work closely with the others to continue to provide, within our means, further assistance to Bosnia and Herzegovina.

Mr. Šimonović (Croatia): Another year has passed, and the agenda item "The situation in Bosnia and Herzegovina" is once again being discussed in the plenary of the General Assembly. Once again we contemplate the year's successes and setbacks in Bosnia and Herzegovina. Every year there are fewer speakers on the list and fewer people are present. Interest in these events seems to fade little by little, and I ask myself whether this is a good or a bad sign. Is it a sign that the situation is improving, or that the international community is losing interest? On the eve of yet another Peace Implementation Conference, this time in Madrid, we should ask ourselves whether or not we are on track for helping Bosnia and Herzegovina become a self-sustaining State.

Despite some positive trends in the return process and the restructuring of the police and other joint institutions, many areas of social and economic life are stagnating. Little economic opportunity is being created, and foreign assistance remains focused on humanitarian aid. Less than 30 per cent of pre-war industry is operating, while the privatization process requires impetus. There is a serious concern that if no progress is made in achieving sustainable development, the annual bill for Bosnia and Herzegovina, which includes \$1.5 billion for humanitarian aid and expenses for 30,000 troops and numerous international personnel, may become too much of a burden for donor and troop-contributing countries. Given that without progress international interest in continuing to provide assistance to Bosnia may eventually diminish, not addressing these problems now could have disastrous effects on Bosnia and Herzegovina in the future.

As a co-signatory and guarantor of the Dayton Peace Agreement, and as one of the two neighbours of Bosnia and Herzegovina, the other being the Federal Republic of Yugoslavia, Croatia continues to follow closely the development of events. Upholding close relations with Bosnia and Herzegovina is vitally important for Croatia. The interrelation between Croatia and Bosnia and Herzegovina includes geostrategic, communicational, economic, cultural and many other links between our two countries. As the strengthening of the two-way exchange can only benefit both, Croatia is very interested in fostering prosperity and sustainable development in Bosnia and Herzegovina. It is with this in mind that a

week ago Croatia signed two far-reaching Agreements: on the establishment of special relations with the Federation of Bosnia and Herzegovina and on transit to and from Ploče and Neum with Bosnia and Herzegovina.

The importance of the Agreement on Special Relations between the Republic of Croatia and the Federation of Bosnia and Herzegovina is that it establishes the legal framework for cooperation between the executive, legislative and other Government institutions and non-governmental organizations in Croatia and the Federation at the entity level, in line with the Constitutions of Croatia and Bosnia and Herzegovina. The Agreement provides scope for wide cooperation, from the economic, scientific and social fields to the development of local self-government, questions on property rights, policing and defence, all of which are to be further elaborated in the respective annexes to the Agreement. Croatia is convinced that the Agreement will go a long way not only towards guaranteeing transparent aid from Croatia to the Federation and to Croats in the Federation of Bosnia and Herzegovina, but also in benefiting the overall welfare of Bosnia and Herzegovina and all its peoples.

The Agreement on Free Transit through the territory of Croatia to and from the port of Ploče and through the territory of Bosnia and Herzegovina in Neum gives Bosnia and Herzegovina free and unimpeded access to the sea at Ploče, as well as ensuring free and unimpeded transit for Croatia through the territory of Bosnia and Herzegovina near the Bosnian town of Neum. Croatia will also establish a free and foreign trade zone that will be made available for use by Bosnia and Herzegovina in the near future. The implementation and regulation of the Agreements will be the responsibility of the newly established Croatian-Bosnian Interstate Council for Cooperation, which will also be tasked with making recommendations to both Croatian and Federation institutions.

Croatia has consistently affirmed its support for the Dayton Peace Agreement and its three fundamental pillars: Bosnia and Herzegovina as a single internationally recognized State, which is decentralized, and which ensures the equality of its three constituent nations and the respect and protection of human rights for all its citizens. Croatia believes that it is only by upholding and strengthening all these principles that Bosnia and Herzegovina will be viable and that the peace process in Bosnia will continue to gain momentum. Abrogation of either the letter or spirit of Dayton is unacceptable, and can serve only to weaken the overall peace process.

Despite some positive developments over recent months, it is our opinion that the plight of Croats in Bosnia and Herzegovina still does not receive due consideration. Croatia supports the views of the international community that the return of minority groups in both entities of Bosnia is crucial to post-war reconciliation and rebuilding. Unfortunately, it is proceeding slowly, and in many cases not at all. The international community often makes the point — it was made most recently by both the High Representative and the Deputy High Representative in Bosnia — that the key to the reintegration of Bosnia and Herzegovina into a multi-ethnic State lies with the return of Croats to central Bosnia and Posavina. While my Government undeniably upholds this view, concrete support from the international community to Bosnian Croats remains insufficient.

For their part, Bosnian Croats, as the least numerous constituent nation of Bosnia and Herzegovina, look to Dayton and the joint institutions it created as a means of guaranteeing their place in Bosnia and Herzegovina. Croatia is concerned by increasing feelings of alienation among Bosnian Croats and upholds the position that the Bosnian legislature must protect the equality of its three constituent nations, in conformity with its constitution. Such protection should be reflected in the electoral law and the support of national cultural institutions.

Let me reiterate Croatia's support for the efforts of the International Criminal Tribunal for the Former Yugoslavia to bring to justice all those responsible for war crimes and crimes against humanity. Croatia reiterates its view that cooperation with the Tribunal must be unconditional, and in this respect supports the recent decision of the Security Council to demand that the Federal Republic of Yugoslavia execute arrest warrants and surrender persons indicted by the Tribunal. Although the Republika Srpska entity has displayed its first signs of cooperation, major perpetrators of war crimes, namely Karadzic and Mladic, are still at large. The Republika Srpska is also harbouring Milan Martić, a high-ranking perpetrator of war crimes in Croatia. I should like to point out once again that even though they were the primary targets of war crimes, Croats and Muslims still make up the majority of persons in the custody of the Tribunal. Moreover, despite ample evidence and repeated calls by my Government, the Tribunal has still not brought a single indictment against persons responsible for crimes targeted against Bosnian Croats. Unless efficient action is taken with regard to the events that I

have mentioned, the objective dispensing of justice and a truthful historical account of events cannot be achieved.

In closing, I should like to remind the Assembly that although relations have improved between the States that emerged from the former Socialist Federal Republic of Yugoslavia, the unresolved issue of succession continues to undermine prospects for the full and lasting normalization of relations in South-East Europe. In spite of the clear conclusions of the European Union and the United Nations International Conference on the former Yugoslavia, as well as the relevant Security Council and General Assembly resolutions, the Federal Republic of Yugoslavia still refuses to accept the generally recognized fact that following the dissolution of the former Yugoslavia, no single State can be considered to be its continuation or sole successor. Croatia believes that additional efforts, including by the United Nations, are necessary in order to bring the Federal Republic of Yugoslavia to the consensus reached by the other successor States.

Mr. Erdős (Hungary) (*interpretation from French*): Hungary associates itself with the statement made earlier by the Ambassador of Austria on behalf of the European Union.

We are pleased by the positive and sometimes spectacular results obtained in Bosnia and Herzegovina in the framework of the peace process. At the same time, Hungary believes that the achievements of that process are not yet sufficient to enable us to regard this wide-ranging international undertaking as concluded. Indeed, significant objectives have yet to be achieved, including in the area of the return of refugees and displaced persons. In several days' time the Peace Implementation Council will hold its annual meeting and set new short-term and long-term priorities for international activities in Bosnia and Herzegovina. The return of refugees, the arrest of war criminals who are still at large and cooperation with the Tribunal for the Former Yugoslavia, as well as the economic situation in Bosnia and Herzegovina, will undoubtedly continue to receive special attention.

Multifaceted international assistance to Bosnia and Herzegovina remains indispensable. Given the tragic events that took place in that country, we cannot be discouraged in the face of the many kinds of setbacks and difficulties that arise in the process of national reconstruction. We believe that it is necessary to seek tirelessly the modalities and initiatives that will make this unprecedented international cooperation more effective. To resign ourselves to the problems can only play into the hands of

the enemies of reconciliation who are still among us, who have not given up their previous designs and who draw strength from the reflexes and instincts of aggressive nationalism or rely on selfish interests. That being said, it will now be necessary to focus further on the creation of an economy that in the near future will be able to do without such foreign assistance and will be able to ensure the sustainable development of the country.

Reconciliation and democratic coexistence are not a given. What is absolutely vital in this respect is the cooperation of Bosnia and Herzegovina, of its two entities and of the three ethnic communities among themselves and with the concert of nations. Only in this way can the contribution of the international community be meaningful and play its proper role. One of the fundamental pillars of reconciliation remains the arrest and sentencing of war criminals. In this context, it is impossible to ignore the serious failings regarding cooperation with the Tribunal for the Former Yugoslavia. This question was at the heart of the debate a few days ago in this very Hall, and the draft resolution submitted under this agenda item refers to it forcefully enough and explicitly indicates those responsible for these failings.

Behind the resolutions, decisions and other documents we adopt in the United Nations, above and beyond the texts that we so painstakingly draft, there are realities of our contemporary world that are sometimes extremely harsh and cruel. In connection with Srebrenica, a subject mentioned in the draft resolution before us, allow me to recall a visit that I made to that city as a member of a Security Council delegation towards the end of April 1993.

Srebrenica, its population swollen to many times its previous size as a result of successive waves of refugees, was at that time already surrounded and under siege. The delegation went there a few days after the Security Council's adoption of resolution 819 (1993) — by which, as the Assembly will recall, Srebrenica had been declared a safe area — in order to show solidarity with the city and to highlight how very attentively the international community was following events relating to Srebrenica. We entered the city in armoured troop transport vehicles, painted white, the colour of the United Nations Protection Force. Wearing bullet-proof vests and blue helmets, my colleagues and I saw, not without emotion, hundreds of people lining our route and applauding the sight of an international convoy, a symbol in their eyes of protection and liberation.

Seeing all that from one of those vehicles, I remembered newsclips that I had seen in the movies about the arrival in 1944-1945 of allied tanks and troops in towns and villages that had been liberated from Nazi occupation and the enthusiastic welcome of the crowds. And I remember that all of a sudden I was overwhelmed by the painful realization that we were not liberators and that we did not have the means to dispel the concerns and end the anguish of a population that was threatened from all sides, deprived of all the conditions of a normal life.

At that time I could of course understand the political and psychological importance of the United Nations presence in Srebrenica, but not yet knowing what would follow, I hesitated to form an opinion about the future that awaited those people, about the future that awaited that charming little city tucked away in the mountains on that spring day, when everything radiated peace, tranquillity and the rebirth of nature. This was in the month of April 1993. The contrast between the natural beauty of the place and the tanks, guns and helmets that bore no relation to that ideal environment was astounding, shocking and hardly believable.

Today, I know how the story ended. We know the end of the story which was also the end of the lives of thousands of people whom we, United Nations envoys, had seen, with whom we had spoken and who had welcomed us — alas, mistakenly — as liberators. The history of the United Nations safe areas and what happened to Bosnia and its besieged cities compels us to attach particular importance to the provision of the draft resolution concerning a complete report on events in Srebrenica, to efforts to shed light on what occurred in that Bosnian city and, of course, to the drawing of the necessary conclusions.

Hungary has joined in sponsoring draft resolution A/53/L.55, and we hope to see it adopted by the Assembly without a vote. As a bordering State, Hungary is vitally interested in seeing stability return to Bosnia and Herzegovina, its economic development ensured and the theories and practices of intolerance, which have caused such material and psychological destruction, vanquished and replaced by coexistence and harmonious cooperation among all the citizens of that country, in a democratic framework, with shared functioning institutions and with full equality of rights without regard to ethnic, religious or linguistic origins.

Mr. Effendi (Indonesia): It has been almost three years since the General Framework Agreement for Peace

in Bosnia and Herzegovina was signed by the parties concerned. We are gratified to note that during this period the ceasefire has been maintained and the people of Bosnia and Herzegovina have to a certain degree resumed their normal lives. We are encouraged by the progress made in the implementation of certain provisions of the Peace Agreement, and we therefore look forward to the full implementation of the results achieved in the general election held throughout the country on 12 and 13 September 1998. Indonesia is also encouraged by the conclusions reached at the Ministerial Meeting of the Steering Board of the Peace Implementation Council held in Luxembourg on 9 June 1998, and looks forward to their full implementation.

Like the rest of the international community, however, we are still very concerned about the pace of and inconsistencies in the implementation of the Agreement, in particular key provisions which have never been fully implemented. Notable are those relating to the arrest and prosecution of indicted war criminals and to the establishment of conditions conducive to the voluntary return of refugees and displaced persons to their homes, as well as of those essential for freedom of movement.

There is no doubt that the establishment of a lasting peace in Bosnia and Herzegovina depends on the effective functioning of the common State structures, reform of the civilian police and the continuation of efforts to strengthen the judicial system and of endeavours to enhance reconciliation and mutual respect among that State's multi-ethnic society. These factors are of critical importance to bolster the economic revitalization and reconstruction that can lead to the successful consolidation of the peace process.

It is therefore imperative in our view for the international community to reaffirm its full support for the Government and the people of Bosnia and Herzegovina, in particular in their struggle to establish a just and stable State in durable peace, where the sovereignty and territorial integrity of their country are fully preserved. Member States, through the General Assembly, should reiterate their commitment to the establishment of such a peace in Bosnia and Herzegovina, and for that matter in the whole Balkan region.

To underscore Indonesia's solidarity with the people of Bosnia and Herzegovina, Indonesia has joined in sponsoring draft resolution A/53/L.55 and hopes that it will be adopted by consensus.

The Acting President: I call on the representative of Bosnia and Herzegovina in connection with draft resolution A/53/L.55.

Mr. Sacirbey (Bosnia and Herzegovina): My statement should, I think, make things much simpler. We are, I believe, at the threshold of consensus on draft resolution A/53/L.55, and I wish to announce three oral revisions to the text of that draft resolution.

First, the eleventh preambular paragraph should be deleted and the following text should be inserted at the end of the following paragraph:

"and welcoming the efforts of the High Representative and the Commander of the Stabilization Force in implementing the provisions of the Peace Agreement,".

Secondly, in operative paragraph 18, the text "including an assessment" should be inserted, within commas, after the words "a comprehensive report".

Finally, also in paragraph 18, the text "which was followed by the establishment of other safe areas" should be inserted, within commas, after the words "the establishment of the safe area of Srebrenica on 16 April 1993".

I hope that these revisions will make our work easier.

Mr. Yel'chenko (Ukraine): Three years after the Dayton Agreement was signed, it is clear that it was a worthy effort. It is good to see Bosnia and Herzegovina slowly but steadily recovering from a long period of devastating war. Since Dayton, the peoples of that multi-ethnic country have gained a real opportunity for eventual reconciliation and for the establishment of a new civil society based on democratic principles. It is quite remarkable that at present the situation in Bosnia is gradually being shifted to the category of problems which basically require increased post-conflict peace-building rather than peace enforcement.

At the same time, our optimism about the developments in Bosnia is mixed with some caution. Notwithstanding substantial progress in the parties' implementation of the Dayton Agreement, certain obstacles to the establishment of a durable peace in the country are still to be removed. It is sad but true that international pressure on the parties remains one of the major decisive factors in promoting the peace process. In this regard, it

should be emphasized that it is the people and the local authorities of Bosnia and Herzegovina who bear primary responsibility for the future of their country. Therefore, in our view, they have no option but to uphold further the Dayton Agreement and to refrain from any action that could jeopardize the positive achievements in hand.

In the course of the past year we have witnessed a number of important developments in the framework of the consolidation process in Bosnia. I wish to cite but a few, namely, the introduction of a new flag, passports, common licence plates and a common currency, the opening of Tuzla International Airport et cetera. Among the major events that contributed to the process at the international level we should mention the fourth international donors conference, held last May in Brussels, and the adoption by the United Nations Security Council of resolutions 1168 (1998), 1174 (1998) and 1184 (1998).

The 1998 general elections in Bosnia and Herzegovina, which were supervised by the Organization for Security and Cooperation in Europe (OSCE), constitute an important step in the development of a political life in the country. We note with satisfaction that they were carried out in full compliance with international democratic standards and in an atmosphere free of violence and intimidation.

In keeping with its contribution to the process, Ukraine has perceived all these developments in Bosnia and Herzegovina positively. As a member of the Peace Implementation Council, Ukraine welcomed the adoption of the Luxembourg Declaration at the Ministerial Meeting of the Council's Steering Board last June and fully endorsed its provisions.

As is widely recognized, a continued military presence of the international force in Bosnia and Herzegovina has largely ensured that many military tasks required by annex 1-A of the Dayton Agreement have been fulfilled. However, it is also generally admitted that the influence of the international Stabilization Force (SFOR) remains a key element in ensuring further progress in the implementation of the civilian aspects of the Dayton Agreement. Mindful of that, and as a troop contributor to the NATO-led operation of SFOR, Ukraine welcomed the decision of the alliance to maintain the Force in the area beyond June 1998 and also welcomed the authorization by the United Nations Security Council, through its resolution 1174 (1998), of the extension of the SFOR mandate for an additional 12 months.

Ukraine commends the combined efforts undertaken by all the international players involved to make the peace process in Bosnia irreversible. We note with satisfaction the increased coordination of these efforts with those of the United Nations Mission in Bosnia and Herzegovina (UNMIBH). We feel that this trend should be further enhanced.

Taking into account that at the current stage further progress in establishing a sustainable peace in Bosnia largely depends on the implementation of the civilian aspects of the Dayton Agreement, Ukraine maintains that UNMIBH and the bodies of the United Nations family continue to play an increasingly crucial role.

This relates first and foremost to the activities the International Police Task Force (IPTF). It is worth noting that, with the evolution of the peace process, the mandate of the IPTF has also evolved, in essence from one of simple monitoring and ensuring that the local police acted in a professional way to one of restructuring, training and guiding the local police. Therefore, Ukraine, as an initial and current contributor to the IPTF, supported Security Council resolution 1168 (1998), which authorized an increase in the strength of the IPTF as well as its more active involvement in the training of local law enforcement personnel in Bosnia and Herzegovina.

With the Security Council's authorization in resolution 1184 (1998) for UNMIBH to monitor and assess the court system in Bosnia and Herzegovina as a part of an overall programme of legal reform in the country, in addition to its previous mandate to investigate human rights abuses committed by the local police, the activities of the United Nations Mission have become more significant than ever before. We are of the view that the two other tasks of UNMIBH that complement its police reform mandate are of paramount importance, since it is protection of human rights and fair courts that are real indicators of a democratic society with a multi-ethnic population.

Our delegation also thinks that at the level of State-building measures backed by the international community, a project of establishing joint border guards in Bosnia to secure the sovereignty and territorial integrity of the country would be quite promising.

The activities of the United Nations system in providing assistance to Bosnia and Herzegovina related to the return of refugees and displaced persons, economic reconstruction, demining and respect for human rights produce the necessary results, and they deserve the

appreciation of the international community. In this context, we especially note the successful efforts of the Office of the United Nations High Commissioner for Refugees (UNHCR) in facilitating the return of minority groups in the framework of the "open cities" project. We also noted as a positive fact that since last June the demining activities under United Nations supervision were handed over to the Government of Bosnia and that the national mine action programme, which is financed through the United Nations Development Programme, was established.

It is evident that the complete consolidation of Bosnia and Herzegovina can be achieved along with the economic reconstruction of the whole country. Ukraine welcomes the diversified economic programmes financed and carried out in Bosnia by the World Bank and the international donor community at large and stands ready to get involved in them.

Ukraine also intends to expand its economic cooperation with Bosnia and Herzegovina on a bilateral basis. Unfortunately, a long period of absence of peace in Bosnia did not favour such cooperation. That cooperation was further seriously hampered by the adverse consequences of the sanctions regime, which caused suffering to Ukraine as it did to all other countries of the Danube region. Given the current situation in the region, as well as the mutual interest of Ukraine and Bosnia in promoting bilateral economic cooperation, the firm intention to realize those perspectives were reconfirmed at the most recent meeting between the heads of Government of our two States during the summit of the Central European Initiative held in Zagreb 10 days ago.

The Peace Implementation Conference held in December 1997 in Bonn provided a good basis for the parties to the Dayton Agreement to move the peace process forward and brought positive results. We are very hopeful that the forthcoming Ministerial Meeting of the Peace Implementation Council, which is to be held in Madrid from 15 to 16 December this year and in which Ukraine will also take part, will provide further impetus in helping Bosnia and Herzegovina to proceed with building a consolidated, democratic, peaceful and prosperous society. Let us continue to take it as our common responsibility. My delegation believes that the adoption of the draft resolution before us today by consensus would be very instrumental to that end.

Prince Al-Hussein (Jordan) (*interpretation from Arabic*): Allow me at the outset to express my delegation's appreciation for the successful efforts of the President in guiding the work of the fifty-third session of the General Assembly.

For the last few years now, Bosnia and Herzegovina has enjoyed an absence of bloodshed. As a result, certain positive developments have taken place: the introduction of a new flag, common vehicle licence plates and a common currency, the mutual recognition by all successor States to the former Socialist Federal Republic of Yugoslavia and the successful conduct of municipal and general elections in 1997 and in 1998. The authors and sponsors of the draft resolution before the Assembly have taken note of this and welcomed the efforts of the States and parties concerned and those of other international actors that have played a role in bringing about a very difficult transformation from war to peace.

Unfortunately, however, it has been a transformation from a bitter war to a bitter peace. The task of establishing common federal institutions in Bosnia and Herzegovina is still proving to be very difficult. There are still many who simply do not recognize the legitimacy of any institution or any initiative that confirms the unitary nature of Bosnia and Herzegovina.

Furthermore, the Dayton Agreement will never lead to real peace until its very essence — namely, annex 7 — is implemented in its entirety and those refugees and displaced persons from minority areas return to their original regions. We join others in urging all the parties to implement annex 7 in full and in good faith. In this context, we also support the addition of operative paragraph 22 to the draft resolution.

To facilitate the return of refugees and displaced persons to their regions of origin, we join in the appeal to all the parties to cooperate with the International Tribunal for the Former Yugoslavia, in accordance with Security Council resolutions 827 (1993), 1022 (1995) and 1207 (1998). My delegation has taken careful account of the Tribunal's fifth annual report and would like to express its deep concern at the continued refusal by one of the major actors in the region to cooperate with the Tribunal. Those accused of war crimes must appear before the Tribunal in The Hague to answer the charges levelled against them. Their appalling crimes cannot under any circumstances be forgotten or forgiven by the international community.

In this context, in July 1995 some 8,000 Bosnian men from Srebrenica were separated from their families by the Bosnian Serb military and subsequently disappeared. It is now widely suspected that they were executed by their captors. My delegation very much regrets that the United Nations has never conducted an inquiry into exactly how the United Nations safe areas of Srebrenica and Zepa collapsed, and it especially regrets that there is no comprehensive United Nations account of the episode against which various disturbing media allegations or revelations about United Nations conduct could be evaluated. We therefore very much endorse the inclusion in this year's draft resolution of operative paragraph 18.

From early on in the war, the Hashemite Kingdom of Jordan has hosted refugees from Bosnia and Herzegovina and sent peacekeepers to Bosnia, first with the United Nations Protection Force and later with the Stabilization Force and the International Police Task Force. Jordan remains wholly committed to an independent, unitary and multi-ethnic Bosnia and Herzegovina.

Mr. Islam (Pakistan): Almost three years ago, the Dayton Peace Agreement was concluded to bring an end to one of the most brutal conflicts of our times. The people of Bosnia and Herzegovina demonstrated enormous courage and determination in seeking a peaceful solution of the conflict by abandoning the course of violence, destruction and war. They deserve commendation for choosing the path of reconciliation, harmony and amity. They faced a journey full of obstacles, considering the deep scars which were left in the minds of the aggrieved community.

Since the signing of the Dayton peace accords, considerable strides have been made towards resurrecting the unity and territorial integrity of the State of Bosnia and Herzegovina. But a great deal remains to be done to ensure the full and impartial implementation of the peace accords. It is an arduous task, considering the deep fissures that four years of fratricidal war created in their society.

A faithful implementation of the Dayton Accords is central to any durable peace in Bosnia and Herzegovina as a united, sovereign and independent State. We note with appreciation the unequivocal fulfilment of obligations by the Government of Bosnia and Herzegovina. Unfortunately, the Serbian entity

demonstrated a lack of commitment, seriously hampering international efforts.

We are particularly concerned at the lack of progress in a number of areas, including the return of the refugees and displaced persons as well as freedom of movement across the inter-entity boundary lines. The refugees and displaced persons continue to face obstructions, which discourages them from returning to their homes. The rehabilitation of the refugees is vital to ensure the full revival of the State of Bosnia and Herzegovina within its internationally recognized borders. All parties, particularly the Serbian entity, must create the conditions necessary to facilitate their return in conditions of security and honour.

The cooperation in apprehending the perpetrators of genocide in Bosnia and Herzegovina is not satisfactory. The solemn commitment made at Dayton to ensure the appropriate criminal proceedings against the war criminals is not being fulfilled by the Serbian entity and the Federal Republic of Yugoslavia. It must be complied with. It is unfortunate that most of the indictees at large remain free on the territory of the Republika Srpska and the Federal Republic of Yugoslavia, which continues to ignore relevant obligations under international law, particularly by refusing to arrest and surrender indicted criminals. This is a blatant violation of international law which must not be allowed.

We deplore the fact that the Federal Republic of Yugoslavia has taken shelter behind domestic laws to justify its failure to abide by binding obligations under international law. The international community must ensure full and timely implementation of all aspects of the arrangements agreed by the parties. Security Council resolution 1207 (1998) of 17 November 1998, while condemning the Belgrade authorities' failure to hand over indicted criminals, called upon them to take the necessary measures under their domestic law to ensure compliance with the provisions of the Statute of the Tribunal. The Federal Republic of Yugoslavia must respond to the demands of the international community.

The United Nations-declared safe area, Srebrenica, witnessed some of the worst massacres by the Serbs from April 1993 to December 1995. Despite widespread concerns expressed over the reports of the heinous crimes committed in Srebrenica, no serious efforts have been made to unmask the truth. We expect the Secretary-General to submit a comprehensive report along with an assessment of events in Srebrenica with a view to establishing the facts and to bringing the perpetrators of crimes to justice. The findings of the Secretary-General would be a lesson for the

international community with respect to preventing any recurrence of such events anywhere in the world. The Member States and the concerned agencies and organizations must provide all relevant information for the preparation of the report by the Secretary-General.

The revival of Bosnia's economic and social structure, destroyed by years of war, needs the priority attention and sustained commitment of the international community. There should be a comprehensive approach to the economic reform that would contribute to more homogeneous development of economy and trade in the two entities and across the inter-entity boundary line. We welcome the international support for establishing an economic programme with adequate emphasis on private sector development, improvement of foreign investment conditions, restructuring of banking and reform of the financial system. However, it is important that the disbursement of international economic assistance to various parties is linked to their compliance with the Dayton Agreement, in particular to their commitment to the integrity and the unity of the country, to full cooperation with the International Criminal Tribunal for the Former Yugoslavia and to the return of refugees and displaced persons.

Pakistan has extended substantial financial, technical and material support to Bosnia and Herzegovina, which is a token of our political solidarity with the people of that country. We have so far contributed \$1 million for the International Tribunal. We urge all Member States and organizations to generously contribute to the voluntary fund of the Tribunal in order to enable it to carry out its functions and responsibilities effectively and efficiently. The perpetrators of mass killings must not go unpunished, be they in Bosnia or in Kashmir.

Pakistan has consistently adopted a principled position throughout the crisis in Bosnia and Herzegovina and has extended unqualified moral and political support to the people of Bosnia and Herzegovina. Our support is reflective of our conviction that no nation should be victimized because of its smaller size and that no people should be brutalized because of its origin. We also believe that no nation and no people should be denied their inherent right to self-determination and their right to wage a legitimate struggle for freedom.

We are confident that the people of Bosnia and Herzegovina will have the resilience and strength to overcome the formidable problems faced by their country. The international community must also leave no

stone unturned in ensuring the realization of the dream of a sovereign, united, multi-ethnic, multicultural State of Bosnia and Herzegovina, at peace with itself and contributing to international peace and prosperity.

The draft resolution before the Assembly today embodies the principles and goals that must be accomplished if there is to be a just and lasting peace settlement in Bosnia and Herzegovina. Pakistan is a sponsor of this draft resolution and earnestly hopes that all Member States will support its adoption without a vote.

Mr. Galuška (Czech Republic): At the outset, I wish to voice my country's support for the statement delivered by Austria on behalf of the European Union and associated countries. As the Czech Republic continues to stress the need for stability in Bosnia and Herzegovina and has been actively working for its achievement, I would like to address those aspects of this issue that my country considers of particular importance.

The results of the efforts to stabilize peaceful development in Bosnia and Herzegovina confirm that we are facing a long, arduous and complicated process. There are areas where there has been relatively rapid progress towards the achievement of the set objectives, but also areas in which the results thus far achieved lag behind the expectations of the international community. The Czech Republic is well aware that, after such a long and bloody conflict, impatience with slow progress in the solution of certain problems would be out of place. Nevertheless, we share the positions of international organizations, United Nations Member States and in particular of the Peace Implementation Council that more rapid progress could have been made in the civilian part of the reconstruction. Such progress would undoubtedly have a positive effect on the situation of the population of Bosnia and Herzegovina, on the process of economic revitalization and on the strengthening of the State structure, as well as on the extent of assistance provided by the international community.

The Czech Republic views the good results that have been steadily achieved in the implementation of the military aspects of the Dayton Peace Agreement as a positive and hopeful trend. I am glad to state that the Czech mechanized battalion — operating in the sector that is under British command — through its involvement and activities since the arrival of the multinational force led by the North Atlantic Treaty Organization, has also had a modest role in this success. Naturally, we highly value the tireless efforts of the United Nations, the Office of the High Representative, the Organization for Security and

Cooperation in Europe and other international organizations whose engagement in various fields in the territory of Bosnia and Herzegovina remains quite indispensable.

Thanks to the extended mandate of the High Representative, the last six months have seen progress on issues that until then seemed hopelessly blocked, such as common State symbols, common currency, common car licence plates, common passports and so forth. However, in spite of all the positive achievements, the present system of functioning of common institutions of Bosnia and Herzegovina is not sustainable. We believe that all these activities will be gradually assumed by effectively functioning bodies of local legislative and executive power.

Indeed, a number of key problems are yet to be solved to achieve further progress in Bosnia and Herzegovina, to ensure integrity of the State borders and to set up a transparent and clear legal order and its practical application — just to mention the essential ones. We hope the trend towards national democracy and the development of good-neighbourly relations will continue in all entities. Thus far, the relations and contacts of Bosnia and Herzegovina and its entities with many countries of the world are much better than those with their direct neighbours.

Unfortunately, though this year was proclaimed "the year of return" and the repatriation of refugees and displaced persons forms one of the pillars of the Dayton Peace Agreement, no substantial progress has been made in this field. Most of the total of about 1.3 million refugees remain abroad. Those refugees who have returned were heading for the regions that are under the control of their own entity. That is why the international community should support with concerted efforts the so-called minority returns.

One of the main reasons for the small number of returnees is the ominous economic situation in their country. Economic restoration therefore appears to be one of the basic prerequisites for the future of the country. It is of utmost importance to direct international assistance to all regions of Bosnia and Herzegovina. This has now been facilitated by the positive trend in the Republika Srpska. However, economic growth can hardly be expected without fundamental economic reforms, including privatization and restructuring, and without active support by the population.

The Czech Republic highly regards the work of the International Criminal Tribunal for the Former Yugoslavia and fully supports the investigation of and just punishment for all crimes committed during the conflict.

Although we must admit certain partial progress in cooperation with the Tribunal over the past year, its level in general is far from ideal. The Czech Republic therefore fully endorses Security Council resolution 1207 (1998) of 17 November 1998, condemning the refusal by the Federal Republic of Yugoslavia to cooperate with the Tribunal.

In our view, the high turnout of Bosnians in the elections held last September and the smooth conduct of those elections, give a positive signal for the future. The voters clearly demonstrated their concern about the stabilization of the country and their ability to take the fate of the country in their own hands.

In conclusion, I would like to recall the active involvement of my country in the process of post-war reconstruction and economic revitalization of Bosnia and Herzegovina, providing both human and material resources. The Czech Republic has representatives in international organizations operating in the territory of Bosnia and Herzegovina and has been regularly sending its observers to monitor the elections. Apart from its participation in the economic reconstruction, my country is also participating in the funding of humanitarian projects and democratic institutions in Bosnia and Herzegovina. This year we have contributed, *inter alia*, to the International Trust Fund for Demining and Mine Victims Assistance in Bosnia and Herzegovina, set up by the Government of Slovenia, to the Chamber for Human Rights and to the programme for strengthening the independence of the mass media. I would like to point out the determination of my country to further engage in this assistance, and thus also in the nation-building process in Bosnia and Herzegovina and in its reintegration into Europe at all levels.

Mr. Fedotov (Russian Federation) (*interpretation from Russian*): The Russian Federation, while actively participating in international efforts for a Bosnian settlement, welcomes the degree of progress achieved in the implementation of the Peace Agreement. We consistently proceed from the premise that this process must be carried out in strict compliance with the Peace Agreement, Security Council resolutions and other international documents for a settlement in Bosnia and Herzegovina and must not allow for an arbitrary

interpretation of the existing mandates for international machinery.

Almost three years of experience in international efforts to implement the Peace Agreement have convincingly shown that the key to a successful completion of the process for a settlement in Bosnia and Herzegovina is in the hands of the Bosnian parties themselves and in the authoritative bodies they themselves elect.

The current level of international support cannot be maintained indefinitely. This requires from all parties in Bosnia and Herzegovina concrete additional steps designed to demonstrate in practice the existence of political commitment for the implementation of the Dayton provisions, the achievement of genuine inter-ethnic reconciliation and an effective post-conflict reconstruction of the country on democratic bases.

We proceed from the premise that on the whole, the draft resolution under consideration today is geared to achieve the aforementioned goals and to promote further headway in the process for a Bosnian settlement. We are grateful to the sponsors for the additional revisions, and we agree with the consensus. We note in particular some clarifications in the provisions pertaining to the International Tribunal for the Former Yugoslavia.

The Russian Federation consistently supports the activities of the International Criminal Tribunal, carried out in accordance with the mandate assigned by the Security Council and the Peace Agreement. We firmly proceed from the premise that all States must fulfil the relevant international commitments in cooperation with the Tribunal.

At the same time, we strongly reject attempts to expand the concept of such cooperation to the extent of conducting of previously planned armed operations to seize suspects. The Peace Agreement, the relevant Security Council resolutions and the Statute of the International Tribunal clearly state that the extradition to The Hague of individuals accused of war crimes should be carried out exclusively through cooperation with the parties themselves at the Tribunal. Such an approach should be strictly adhered to in practice. Any departure from it — in particular, any unjustified pressure from the parties — can only lead to a serious complication of the situation and render more difficult the process of a peace settlement.

We understand the desire to clarify the circumstances of the tragic events that have taken place in the context of the conflict in Bosnia, especially with regard to missing persons in the Srebrenica safe area. We expect that such information will cover events relating to other safe areas in Bosnia and Herzegovina, without disregarding the very concept of such areas, with all of the inherent internal contradictions they display from the outset.

The Russian Federation will continue to make a constructive, practical contribution to the settlement of remaining issues for a Bosnian settlement and the restoration of Bosnia and Herzegovina as a unified, democratic and multi-ethnic State.

Mr. Danesh-Yazdi (Islamic Republic of Iran): The issue of democracy in a multi-ethnic State is one that political philosophers, political scientists and human rights activists have long grappled with. The situation in Bosnia and Herzegovina bears witness to this human endeavour. Unlike earlier thinkers who were sceptical about the prospects for democracy and free institutions in a country made up of different nationalities, contemporary thinking banks on the general growth of human society and holds that designing democratic institutions in multi-ethnic States is not only possible, but also necessary; and the magic word is reconciliation. Such institutions can be built only in a creative way that reconciles the legitimate interests of different communities, based on local conditions.

Bosnia and Herzegovina has made a good start in the right direction with the help of the international community. A lot more needs to be done in that country, particularly by the peoples of the different communities themselves. There is a limit to the help that the international community can offer in terms of institutionalizing democracy in any multi-ethnic State, including Bosnia and Herzegovina. The international community must be credited for many positive developments in Bosnia and Herzegovina, in terms of bringing forcible change by, for example, loosening the grip of the parties and leaders that fuel ethnic divisions, overseeing elections, carrying out "snatch" operations against indicted war criminals, conducting international military operations in Banja Luka and seizing the transmitter of Bosnian Serb television.

However, Bosnia and Herzegovina continues to suffer from the lack of ethnic security. This continues to be the underlying reason for conflict within the country and for the lack of trust between ethnic groups. Ethnically based parties and leaders represent the narrow interests, or what

they deem to be the interests, of that one ethnic group and feel no sympathy or obligation to the rest of Bosnia's people. Rather than seeking accommodation, these parties and leaders will view every political move as a zero-sum game in which a distinct line is drawn between the loser and the winner.

It is said that time heals all wounds. Time may also heal wounds inflicted along ethnic lines — wounds as gross and as unconscionable as those inflicted primarily against Muslims in Bosnia and Herzegovina — provided that justice prevails and the wounded perceive it as such. In this context, the work of the International Criminal Tribunal for the Former Yugoslavia has much more far-reaching effects than serving just desserts to war criminals, which in and of itself is crucially important.

It is our firm conviction that the unhindered prosecution of indicted individuals will tremendously help justice to prevail and be seen itself as justice, have a cooling effect on ethnic conflict and hatred and, as such, enhance the prospects for reconciliation and integration in that region. Hence, my delegation fully supports Security Council resolution 1207 (1998), in which the Council reiterates the obligation of States to comply with requests for assistance or orders issued by a Trial Chamber, to execute arrest warrants transmitted to them by the Tribunal, and to comply with its requests for information and investigation. In paragraph 3 of that resolution, the Council also

"condemns the failure to date of the Federal Republic of Yugoslavia to execute the arrest warrants issued by the Tribunal against the three individuals..., and demands the immediate and unconditional execution of those arrest warrants, including the transfer to the custody of the Tribunal of those individuals".

My Government continues to be concerned about the ongoing obstructions faced by refugees and displaced persons wishing to return to their homes, in particular in areas where they would be an ethnic minority. We fully support the efforts of the international community, the United Nations and, above all, the Bosnian people to implement the Peace Agreement with a view to achieving a durable and just peace in Bosnia and Herzegovina, leading to stability and cooperation in the region and the reintegration of that country at all levels. In this context, my delegation fully supports the draft resolution contained in document A/53/L.55.

Mr. Türk (Slovenia): Slovenia aligns itself with the statement made at the beginning of this meeting by the Permanent Representative of Austria on behalf of the European Union and the associated countries. In addition to that, we wish to make the following points.

Three years have passed since the conclusion of the Dayton Peace Agreement, which ended the most devastating and brutal armed conflict in Europe since the Second World War. The ordeal of the war in Bosnia brought lessons of global importance. It was a war of aggression against an emerging State, as well as a war of particular brutality. The world was reminded again that genocide — or, as it was named in the case of Bosnia, "ethnic cleansing" — is a real possibility, which can happen if the international community fails to help the weak and defenceless victims of aggression.

The war came to an end in 1995 after a series of military defeats of the forces of aggression. The changed military situation encouraged the international community to intervene with decisive military and political power. The Dayton Peace Agreement created a framework for life in peace and laid the foundation of the new constitutional structure of Bosnia and Herzegovina. Its conclusion and gradual implementation represent a genuine international achievement.

However, several essential elements of the Agreement remain to be fulfilled. The refugees and internally displaced persons are returning in far too small numbers. The rate of minority returns is particularly low. The common political institutions are still not functioning adequately. National reconciliation, democratization and economic recovery are at the very starting point and the police force is being reconstructed and democratized at a varying pace, depending on the entities and cantons.

The point of irreversibility of the peace process in Bosnia and Herzegovina has not yet been reached. It would be much too soon for the international community to leave Bosnia and Herzegovina now. The country is still in the delicate phase of post-conflict peace-building. The international presence and responsibility for peace and development in Bosnia and Herzegovina will therefore be necessary for some time longer before the phase of a self-sustaining peace is reached. We hope to be able to relate in the future to Bosnia and Herzegovina as an example of successful international involvement that brought the country from the midst of conflict to a democratic multi-ethnic society and to a situation of economic prosperity and integration within the broader region of Europe.

The return of refugees and internally displaced persons is one of the most critical conditions for lasting peace in Bosnia and Herzegovina. The international community proclaimed 1998 as the year of return. Disappointingly, the figures are far from the expected and targeted ones. The lack of success regarding the returns is yet another proof of how delicate the peace in Bosnia and Herzegovina still is and how determined and firm the international community must be in implementing the Peace Agreement.

Firmness and determination are necessary in all aspects of peace-building in Bosnia and Herzegovina. Slovenia is of the view that all those who committed crimes against humanity and are responsible for or participated in the genocide in Bosnia and Herzegovina must be brought to justice. Until they are, the process of reconciliation in Bosnia and Herzegovina will be significantly constrained. We commend the efforts of the International Tribunal for the Former Yugoslavia in bringing justice to the people of Bosnia and Herzegovina. Justice is a necessary condition for the establishment of durable peace. We are pleased to note the willingness of the High Representative and the Commander of the Stabilization Force to use their authority to enforce the provisions of the Peace Agreement, including provisions concerning compliance with the orders of the Tribunal.

An additional and essential component of peace and national reconciliation is the need to clarify the fate of more than 19,000 missing persons, including and in particular more than 7,000 civilians from the United Nations designated safe area of Srebrenica. Our delegation took note of the statement made earlier in this discussion by the Permanent Representative of Hungary, who spoke in some detail and with great persuasiveness about Srebrenica, and we share his sentiments. We look forward to the comprehensive and analytical report of the Secretary-General to the General Assembly, which he will prepare in accordance with the draft resolution that the General Assembly will adopt today.

Demining is one of the areas that Slovenia considers especially important to the normalization of life in Bosnia and Herzegovina at this stage. Successful demining will enable a more adequate return of refugees and help to restore economic activity in the country. These are some of the reasons why Slovenia established the International Trust Fund for Demining and Mine Victims Assistance in Bosnia and Herzegovina in March 1998. The main purpose of the initiative is humanitarian in nature: to help civilians, victims of anti-personnel mines, as well as

other victims of the war in Bosnia and Herzegovina. With its initiative, Slovenia is trying to contribute to the strengthening of the process of post-conflict peace-building and rehabilitation in Bosnia.

Before concluding, I wish to touch upon an unresolved issue, the solution of which would also contribute positively to the peace process in Bosnia and Herzegovina: that of the succession of the former Socialist Federal Republic of Yugoslavia, which has ceased to exist. The Permanent Representative of Bosnia and Herzegovina spoke on this issue earlier and we share his opinion. The negotiations on succession continue to be blocked by the Federal Republic of Yugoslavia (Serbia and Montenegro). This circumstance continues to hamper the process of normalization of relations among the successor States of the former Yugoslavia and has an adverse effect on economic and political stability in the region. We hope that the forthcoming meeting in Madrid of the Peace Implementation Council will contribute to the search for an effective approach to resolving the issues of succession.

In conclusion, I wish to emphasize the importance of the continued interest of the United Nations and its General Assembly in post-conflict peace building in Bosnia and Herzegovina. As a global issue it must remain the concern of the world's foremost political body: the United Nations General Assembly. We hope that the draft resolution submitted for action by the General Assembly today will be adopted by consensus and that the content of this draft resolution, of which Slovenia is proud to be a sponsor, will guide the action of all those involved in the effort to establish just and durable peace in Bosnia and Herzegovina.

The Acting President: We have heard the last speaker in the debate on this item. Before proceeding to consider the draft resolution before us, I call on the representative of Bosnia and Herzegovina.

Mr. Sacirbey (Bosnia and Herzegovina): Briefly, on just one minor technical change in the draft resolution since we started drafting it. I have just been informed that in paragraph 15, the proper designation for what has been termed in the draft resolution "the Intermediate Media Standards and Licensing Commission" should be "INDEPENDENT MEDIA COMMISSION", all capital letters. So we take out the words "Intermediate Media Standards and Licensing Commission" and replace them with "INDEPENDENT MEDIA COMMISSION".

The Acting President: The Assembly will now take a decision on draft resolution A/53/L.55, as orally revised.

I should like to announce that since the introduction of the draft resolution, the following countries have become sponsors: Bangladesh, Germany, Singapore and Tunisia.

May I take it that the Assembly wishes to adopt draft resolution A/53/L.55, as orally revised?

Draft resolution A/53/L.55, as orally revised, was adopted (resolution 53/35).

The Acting President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 41?

It was so decided.

Reports of the Fifth Committee

The Acting President: The General Assembly will now consider the reports of the Fifth Committee on agenda items 12 and 118.

If there is no proposal under rule 66 of the rules of procedure, I shall take it that the Assembly decides not to discuss the reports of the Fifth Committee which are before the Assembly today.

It was so decided.

The Acting President: Statements will therefore be limited to explanations of vote. The positions of delegations regarding the recommendations of the Fifth Committee have been made clear in the Committee and are reflected in the relevant official records.

May I remind members that under paragraph 7 of decision 34/401 the General Assembly agreed that when the same draft resolution is considered in a Main Committee and in plenary meeting, a delegation should, as far as possible, explain its vote only once, that is, either in the Committee or in plenary meeting, unless that delegation's vote in plenary meeting is different from its vote in the Committee.

May I remind delegations that also in accordance with General Assembly decision 34/401, explanations of vote are limited to 10 minutes.

Before we begin to take action on the recommendations contained in the reports of the Fifth Committee, I should like to advise representatives that we shall proceed to take decisions in the same manner as

was done in the Fifth Committee, unless the Secretariat is notified otherwise.

Agenda item 12 (continued)

Report of the Economic and Social Council

Report of the Fifth Committee (A/53/694)

The Acting President: The Assembly will now take a decision on the draft decision recommended by the Fifth Committee in paragraph 4 of its report.

May I take it that the Assembly wishes to adopt the draft decision?

The draft decision was adopted.

The Acting President: May I take it that it is the wish of the General Assembly to conclude its consideration of those chapters of the report of the Economic and Social Council which were allocated to the Fifth Committee?

It was so decided.

Agenda item 118 (continued)

Scale of assessments for the apportionment of the expenses of the United Nations

Report of the Fifth Committee (A/53/464/Add.2)

The Acting President: The Assembly will now take a decision on the draft resolution recommended by the Fifth Committee in paragraph 9 of its report.

The Fifth Committee adopted the draft resolution without a vote. May I consider that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 53/36).

The Acting President: We have concluded this stage of our consideration of agenda item 118.

The meeting rose at 12.30 p.m.